

Application No.: 10/666,396
Attorney Docket: MEDTR-001A



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	THEODORE BENDEREV)	Confirmation No. 9330
)	
Serial No.:	10/666,396)	Art Unit: 3731
)	
Filed:	09/18/2003)	Examiner:
)	
For:	SYSTEM AND METHOD FOR)	
	DETERMINING PRESSURE AND SPACING)	
	RELATING TO ANATOMICAL)	
	STRUCTURES)	

**RESPONSE TO REQUEST FOR RECONSTRUCTION OF PAPERS
PURSUANT TO 37 C.F.R. SECTION 1.251**

Mail Stop MISSING PARTS
Attention James Murphy
Commissioner for Patents
PO BOX 1450
Alexandria, VA 22313-1450

Dear Mr. Murphy:

The following is responsive to an Office communication mailed December 21, 2004 in relation to the above identified patent application. In that communication, Applicant was advised that the Office, after a reasonable search, cannot locate an Information Disclosure Statement dated January 23, 2004. Applicant was advised that the Office was initiating the reconstruction of such papers pursuant to provisions of 37 C.F.R. 1.251.

After a thorough search of Applicant's records, it has been determined that the only Information Disclosure Statement filed by Applicant in this matter was filed by U.S. Mail on December 31, 2003 and, as evidenced by the attached copy of the return receipt postcard, was received by the United States Patent and Trademark Office OIPE on January 2, 2004. An additional Information Disclosure Statement was also filed

electronically on that same date with corresponding Acknowledgment Receipt #53015, a copy of which is likewise provided herewith.

Applicant does not possess any record of correspondence between the Office and the Applicant for an Information Disclosure Statement associated with the above-identified patent application dated **January 23, 2004**. However, attached is a complete and accurate copy of Applicant's record of the Information Disclosure Statement dated **December 31, 2003**, the only Information Disclosure Statement filed in this matter to date.

If there are any additional questions, or if additional documentation is required, please feel free to contact Applicant's counsel at the number listed below.

Respectfully submitted,

Date: 1/2/05

By: 

Customer No.: 007663

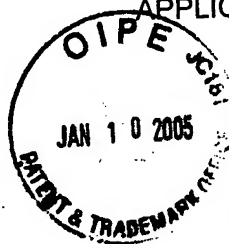
Matthew A. Newboles
Registration No. 36,224
STETINA BRUNDA GARRED & BRUCKER
75 Enterprise, Suite 250
Aliso Viejo, California 92656
Telephone: (949) 855-1246

ATTORNEY DOCKET NO: MEDTR-001A
TITLE: SYSTEM AND METHOD FOR DETERMINING PRESSURE AND SPACING
RELATING TO ANATOMICAL STRUCTURES

IPW

APPLICATION NUMBER: 10/666,396

FILED: 09/18/2003



Certificate of Mailing under 37 CFR 1.8 or 37 CFR 1.10

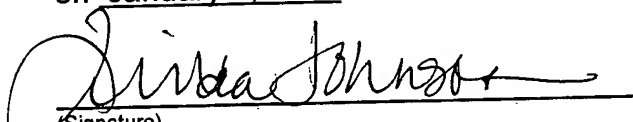
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Alexandria, VA 22313-1450

on January 7, 2005


(Signature)

LINDA JOHNSON

(Typed name of person signing certificate)

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. TRANSMITTAL;
2. COPY OF NOTICE UNDER 37 CFR 1.251 (2 pages);
3. RESPONSE TO REQUEST FOR RECONSTRUCTION OF PAPERS;
4. COPIES OF ENTIRE IDS SUBMISSION DATED 12/31/03 (46 pages);
5. CERTIFICATE OF MAILING;
6. RETURN POSTCARD.



Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/666,396
Filing Date	SEPTEMBER 18, 2003
First Named Inventor	THEODORE BENDEREV
Group Art Unit	3731
Examiner Name	
Attorney Docket Number	MEDTR-001A

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

Remarks

COPY OF NOTICE UNDER 37 CFR 1.251; RESPONSE TO REQUEST FOR RECONSTRUCTION OF PAPERS; COPIES OF ENTIRE IDS OF 12/31/03 (46 pages); CERTIFICATE OF MAILING; RETURN RECEIPT POSTCARD

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

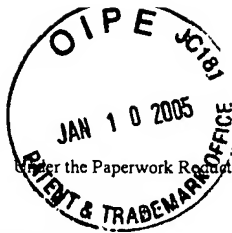
Firm or Individual name	MATTHEW A. NEWBOLES STETINA BRUNDA GARRED & BRUCKER
Signature	
Date	1/7/05

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 1-7-05

Typed or printed name	INDA JOHNSON
Signature	
Date	1-7-05

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



In re Application of: THEODORE BENDEREV
Application No.: 10/666,396
Filing Date: September 18, 2003
Title: System & method for determining pressure and spacing relating to anatomical structures.

Direct to: Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE UNDER 37 CFR 1.251 – Pending Application

Statement (check the appropriate box):

☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

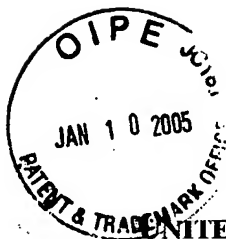
1/7/05
Date


Signature

MATTHEW A. NEWBOLES
Typed or printed name

A Copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

NOTICE UNDER 37 CFR 1.251 - Pending Application

☐ The file of the above-identified application cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

Information Disclosure Statement dated 01/23/04

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

Alternatively, applicant may reply to this notice by producing applicant's record (if any) of all of the correspondence between the Office and the applicant for the above-identified application for the Office to copy (except for U.S. patent documents), and provide a statement that the papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), whether applicant is aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records. Such records must be brought to the Customer Service Center in the Office of Initial Patent Examination (Crystal Plaza 2, 2011 South Clark Place, Arlington, VA 22202).

If applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Failure to reply to this notice in a timely manner will result in abandonment of the above-identified application. The three-month period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).

☐ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

Mail Stop: MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Direct questions concerning this notice to:

James Murphy

(703) 305-6890



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(MAN/Ilj)

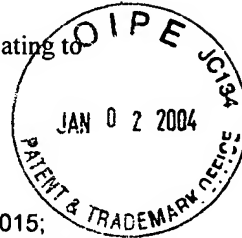
Date Mailed: DECEMBER 31, 2003

Docket Number: MEDTR-001A

Serial No.: 10/666,396

Filing Date: SEPTEMBER 18, 2003

Title: System & Method for Determining Pressure and Spacing Relating to
Anatomical Structures



Papers transmitted herewith:

1. TRANSMITTAL;
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3. COPY OF ACKNOWLEDGEMENT RECEIPT #53015;
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ATTORNEY DOCKET NO: MEDTR-001A
TITLE: SYSTEM AND METHOD FOR DETERMINING PRESSURE AND SPACING
RELATING TO ANATOMICAL STRUCTURES

APPLICATION NUMBER: 10/666,398 JAN 10 2005 FILED: 09/18/2003

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

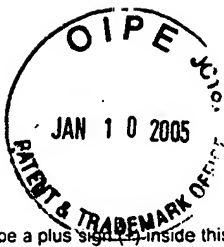
on December 31, 2003


(Signature)

LINDA JOHNSON
(Typed name of person signing certificate)

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/666,396
	Filing Date	SEPTEMBER 18, 2003
	First Named Inventor	THEODORE BENDEREV
	Group Art Unit	3731
	Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number MEDTR-001A

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	IDS COVER LETTER; ACKNOWLEDGEMENT RECEIPT; PTO/SB/08A WITH ONE FOREIGN PRIOR ART REFERENCE; CERTIFICATE OF MAILING; RETURN RECEIPT POSTCARD	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MATTHEW A. NEWBOLES STETINA BRUNDA GARRED & BRUCKER
Signature	
Date	12/31/04

CERTIFICATE OF MAILING	
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Typed or printed name	LINDA JOHNSON
Signature	
Date	12.31.03

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